

**ABBREVIATED MINUTES
PLANNING COMMISSION MEETING
NOVEMBER 7, 2012**

The Planning Commission met in the City of Bradenton Council Chambers, 101 Old Main Street, Bradenton, Florida on November 7, 2012 at 2:00 p.m.

Present:

Planning Commission Members: Jason Taylor, Chair; Adam Buskirk, Diane Barcus, Joseph Thompson, Richard Whetstone (alternate)

City Staff: Tim Polk- Planning Director; Brady Woods-Development Review Manager; Arlan Cummings-Public Works; Karen Aihara-Executive Planning Administrator

Absent:

Planning Commission Members: Peter Keenan, Allen Prewitt, Greg Guinta (alternate), O.M. Griffith (alternate). **City Staff:** Ken Langston-Fire Marshal

REGULAR MEETING

- Meeting was called to order by the Planning Commission Chair, Mr. Taylor at 2:07 p.m.
- Pledge of Allegiance was led by Mr. Thompson.
- Ms. Aihara swore in all those wishing to speak before the Commission.
- Approval of Minutes – Ms. Barcus made a motion to approve the September 19, 2012 meeting minutes, second by Mr. Buskirk, approved 5-0.

NEW BUSINESS

SU.12.0097 WARD 2 NEIGHBORHOOD 12.02 BMW

Request of Trevor Greene (Greene Marine Construction, Inc.), agent, for Robert Brodbeck, owner, for a Special Use Permit to locate a Dock separated by a public right-of-way from address 1921 Riverview Boulevard (R-1 zoning).

Mr. Woods read the request. Trevor Greene, 4505 9th St East, Ellenton, presented the project.

Planning Commission Questions/Comments:

- Mr. Taylor asked about the lighting. Mr. Green stated that the lighting will include three overhead dusk to dawn lights at the end of the dock. Ms. Barcus asked about the mounting, Mr. Green stated that they will be mounted at the pilings about seven feet high to light the boat and platform. No lights on walkway, but there are street lights in the area. There is no light to mark the end of the dock.
- Mr. Taylor asked if the planking was to code and if the electricity will be GFI. Mr. Green confirmed.

Public Hearing: No one appeared for or against. Public Hearing was closed.

Public Works: Mr. Cummings stated that applicant is familiar with right of way application process. Applicant will drill under Riverview Blvd. with the power coming from rear of applicant's house and water is located by driveway. All lights will be photocells.

Staff Evaluation: The staff recommends approval with the following stipulations:

1. Water and electrical installation will require a City of Bradenton Right-of-Way Use Permit.
2. Identification markers for proposed underground utilities are required.

Planning Commission Comments:

- Mr. Taylor clarified that the Planning Commission is only approving the special use for a dock and does not authorize any of the water use or drilling under Riverview Blvd. that has to be approved by Public Works.
- Ms. Barcus expressed concern about the lighting and disruption of the fish and manatees. Mr. Greene said the height of the lighting should be 12-13 feet above water illuminating the boat/platform area and should not disrupt fish. Mr. Taylor asked that Mr. Greene check into eco-friendly lighting.
- Mr. Cummings asked about the sounding and bottom depths at the end of the dock. Add stipulation #3 that a sounding will be provided at permitting.

PLANNING COMMISSION MOTION: Mr. Buskirk made a motion to **APPROVE** SU.12.0097 with three amended stipulations. Second by Mr. Thompson. 5-0 in favor, motion approved. Stipulations are:

1. Water and electrical installation will require a City of Bradenton Right-of-Way Use Permit.
2. Identification markers for proposed underground utilities are required.
3. Sounding profile will be submitted to Public Works at permitting.

SU.12.0098 WARD 8 NEIGHBORHOOD 1.03 BMW

Request of Allison Sotelo, owner, for a Special Use Permit to establish an Auto Sales/Rental Use at an existing auto repair business located at 2416 1st Street West (UCC zoning).

Mr. Woods read the request. Allison Sotelo, 2416 1st Street West, presented the project to add auto sales to their existing auto repair business.

Planning Commission Questions/Comments:

- Ms. Barcus asked about the overnight parking, Ms. Sotelo stated that cars will be behind the fenced enclosure at night. Mr. Woods stated that the stipulation #2 can be amended. Mr. Buskirk expressed concern over the need for the stipulation which could result in a code violation. Mr. Woods stated that the applicant requested the stipulation in original discussions.
- Mr. Taylor asked about the number of cars for sale at one time. Ms. Sotelo stated that she is planning on a small scale (2-5 cars) sales space. Suggestion to add stipulation reserving 15 spaces for parking, including ADA parking space. Mr. Woods did not see the need to stipulate the number of parking spaces.
- Ms. Barcus did not see any additional landscaping to replace the removal of the planter indicated on the site plan. Suggestion to add stipulation to plant low profile landscaping (junipers) along 1st Street within one year.
- Stipulation #2 reading "display cars to be secured on a nightly basis" was verified by Mr. Buskirk to Ms. Sotelo. Mr. Buskirk asked to remove the stipulation. Mr. Woods stated that the staff has no problem with removing the stipulation. Ms. Sotelo agreed to removal of the stipulation, Commissioners' discussion ensued. Ms. Barcus stated that she does not want the stipulation removed. Mr. Buskirk made a motion to strike stipulation #2, second by Mr. Whetstone, 3-1-1 to strike stipulation. Ms. Barcus opposed, Mr. Taylor abstained, stipulation approved.

Public Hearing: No one appeared for or against. Public Hearing was closed.

Public Works: Mr. Cummings stated that applicant has agreed to have rear-loading dumpster replaced with a front-loading dumpster and build a dumpster enclosure with vinyl on the street side.

Staff Evaluation: The request before you is for a used car lot. The owner intends to use a portion property for the display and sale of used cars. This use is in conjunction with the owner's existing auto repair business. Given the Findings of Fact, the requested Auto Sale/Rental Special Use is consistent and compatible with the context of the surrounding development along 1st Street West.

Stipulations:

1. Display cars for sale to be located in spaces along south property line only.
~~Display cars for sale to be secured within repair bays on a nightly basis.~~
2. Hours of Operation for Auto Sales/Rental Use: 8:00 am to 6:00 pm Monday through Sunday, consistent with existing auto repair business.
3. Motion to add stipulation to enhance existing front grass area with low lying landscaping within six months with mandatory watering that does not restrict visibility of site ingress/egress by Ms. Barcus, second by Mr. Thompson, 4-1 motion approved, with Mr. Buskirk opposed.

PLANNING COMMISSION MOTION: Mr. Buskirk made a motion to **APPROVE** SU.12.0098 with three stipulations as stated. Second by Mr. Thompson. 5-0 in favor, motion approved.

These two agenda items will go before City Council on November 14 at 8:30 a.m.

REPORT OF THE PLANNING & COMMUNITY DEVELOPMENT DIRECTOR – discussed Special Use versus By Right with the Commissioners. Special use stipulations addresses parking, dumpster locations, landscaping – not to discourage, but not to encourage these uses. Planning Commission is a recommending body of policy as set by City Council.

The December Planning Commission is cancelled and will meet on Wednesday, January 16, 2013.

ADJOURNMENT

Meeting adjourned at 3:07 p.m.



Jason Taylor, Chairman

NOTE: This is not a verbatim record. An audio CD or DVD recording of the meeting is available for a fee upon request.